

REMARKS

FORMAL MATTERS:

Claims 21-29 and 31-33 are now pending in this application.

Claims 1-20 and 30 have been canceled.

Claims 21 and 31 have been amended to more particularly point out and distinctly claim the invention. The amendments to claim 21 are fully supported within the original application and are also supported within claims 30 and 31. Claims 30 and 31 were supported within originally pending now canceled claims 16 and 17, respectively. No new matter has been added.

Rejections under 35 U.S.C. §103

Previous claims 21-27 were rejected under 35 U.S.C. §103 as unpatentable over Laube et al. in view of Burns et al. and Bechgaard et al. The rejection is traversed as applied and as it might be applied to the presently pending claims.

Claim 31 was objected to but indicated as being allowable if written in independent form. It appears as though the Examiner considered the final paragraph of claim 31 to be the subject matter which rendered claim 31 allowable. The final paragraph of claim 31 as well as language from claim 31 relating to the disposable container has been incorporated into amended claim 21. Accordingly, claim 21 is now believed to be in allowable form.

The prior art does not disclose a porous membrane have a cross-sectional configuration with a small end opening of 0.25 to 6.0 microns in diameter and a large end opening of 2.0 to 20 times the diameter of the small end opening in a method as claimed in claim 21. Accordingly, claim 21 is believed to be allowable and an indication of such is respectfully requested.

Claim 21 is the only independent claim. Accordingly, the only other pending claims are dependent directly or indirectly on claim 21. Accordingly, all of the claims are believed to be allowable and an indication of such is respectfully requested.

CONCLUSION

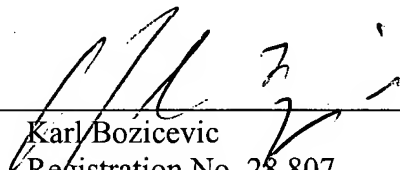
Claim 21 has been amended to incorporate limitations contained within claim 31 which limitations are believed to be the reason the Examiner indicated claim 31 as claiming allowable subject matter. In view of such the rejections are believed to have been overcome.

Applicant submits that all of the claims are in condition for allowance, which action is requested. If the Examiner finds that a telephone conference would expedite the prosecution of this application, please telephone the undersigned at the number provided.

The Commissioner is hereby authorized to charge any underpayment of fees associated with this communication, including any necessary fees for extensions of time, or credit any overpayment to Deposit Account No. 50-0815, order number AERX-055CON6.

Respectfully submitted,
BOZICEVIC, FIELD & FRANCIS LLP

Date: 21/JAN/05

By: 
Karl Bozicevic
Registration No. 28,807

BOZICEVIC, FIELD & FRANCIS LLP
1900 University Avenue, Suite 200
East Palo Alto, California 94303
Telephone: (650) 327-3400
Facsimile: (650) 327-3231

F:\DOCUMENT\AERX\055CON6\amend to oa 9-30-04.doc